

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION No. 98-347-1
	:	
v.	:	CIVIL ACTION No. 16-1698
	:	
ALAN FRAZIER	:	

ORDER

AND NOW, this 8th day of July, 2024, upon consideration of Movant Alan Frazier's Motion to Correct Sentence Under 28 U.S.C. § 2255 (Document No. 95) and the Government's Response thereto (Document No. 99), and for the reasons set forth in the accompanying Memorandum, it is ORDERED:

- The Motion is DENIED as to Frazier's due process challenge to his conviction and sentence under 18 U.S.C. § 924(c) for using and carrying a firearm during and in relation to a crime of violence.
- As to Frazier's due process challenge to his career offender designation under the United States Sentencing Guidelines, Frazier shall submit a supplemental brief on or before July 22, 2024, addressing whether this claim is time-barred under *United States v. Green*, 898 F.3d 315 (3d Cir. 2018). The Government may submit a response on or before August 5, 2024.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.